

Application No. 10/509,633
 Amendment Dated 12/22/2005
 Reply to Office Action of 12/13/2005

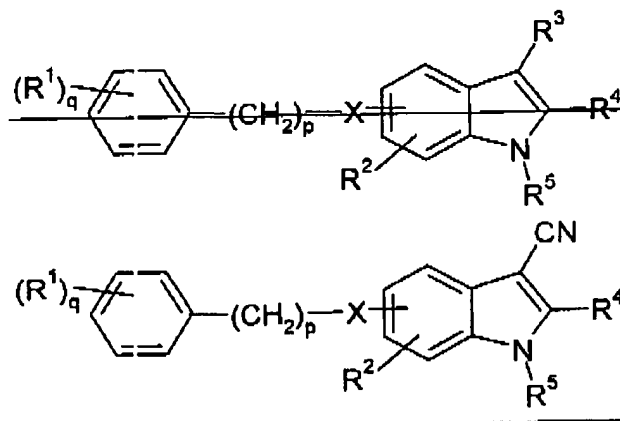
Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-6 (canceled)

7. (currently amended) A compound of Formula (VIId),



Formula (VIId)

wherein

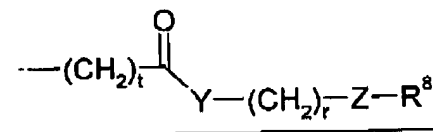
R^1 is independently selected from hydroxy, amino, alkanoylamino, $-OPO_3H_2$, or C_{1-4} alkoxy, wherein the amino group is optionally substituted with an amino acid residue and the hydroxy group is optionally esterified;

X is selected from $-O-$, $-S-$, $-SO-$, or $-SO_2-$;

R^2 is selected from hydrogen, C_{1-4} alkyl, or C_{1-4} alkoxy;

R^4 is independently selected from hydrogen, C_{1-4} alkyl, C_{1-4} alkanoyl, C_{1-4} alkoxycarbonyl, C_{1-4} alkoxycarbonyl C_{1-4} alkyl, C_{1-4} alkoxycarbonylamino, amino, amino C_{1-4} alkyl, carbamoyl, carbamoyl C_{1-4} alkyl, cyano, cyano C_{1-4} alkyl, hydroxy or hydroxy C_{1-4} alkyl;

R^5 is selected from hydrogen, C_{1-4} alkyl, or a group of Formula (III)



Formula (III)

wherein

Y is selected from $-NH-$, $-O-$, or a bond;

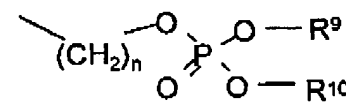
Application No. 10/509,633
 Amendment Dated 12/22/2005
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Z is selected from —NH—, —O—, —C(O)—, or a bond;

r is an integer from 0 to 4;

t is an integer from 0 to 1;

R⁸ is hydrogen, C₁₋₄alkyl, C₁₋₄alkoxy, aryl, 5- or 6- membered heterocyclyl, 5- or 6-membered heteroaryl, wherein aryl, heteroaryl or heterocyclyl are optionally substituted with C₁₋₄alkyl, C₁₋₄alkoxy, or a group of Formula (IV)



Formula (IV)

wherein

n is an integer from 1 to 6, and;

R⁹ and R¹⁰ are independently selected from hydrogen, C₁₋₄alkyl, or aryl;

p is an integer from 0 to 1 and

X, p, R², R³, R⁴, and R⁵ are as defined in claim 1;

q is an integer from 1 to 3.

~~with the proviso that~~

~~when R³ is cyano, then R⁴ cannot be a group of Formula (II); and~~

~~when (R¹)_q is 4-methoxy, 4-amino or 3,4,5-trimethoxy, p is 0 or 1, R² is hydrogen or 5-methoxy,~~

~~R³ is hydrogen, cyanomethyl, or 2-aminoethyl, and R⁴ is hydrogen or ethoxycarbonyl, then R⁶ cannot be hydrogen or methyl;~~

~~or a salt, prodrug or solvate thereof.~~

8-9. (canceled)

10. (currently amended) A compound, of claim 7, selected from:

3-cyano-5-phenylsulphanyl-1H-indole;

3-cyano-5-phenoxy-1H-indole;

3-cyano-5-(4-hydroxyphenoxy)-1H-indole; and

~~2-cyano-5-benzyleoxy-1H-indole;~~

1-methyl-3-cyano-5-(4-hydroxy-3,5-dimethoxyphenoxy)-1H-indole;

1-methyl-3-cyano-5-(4-phosphonoxo-3,5-dimethoxyphenoxy)-1H-indole;

3-cyano-5-(3,4-dimethoxyphenylsulphanyl)-1H-indole;

1-methyl-3-cyano-5-(3,4-dimethoxyphenylsulphanyl)-1H-indole;

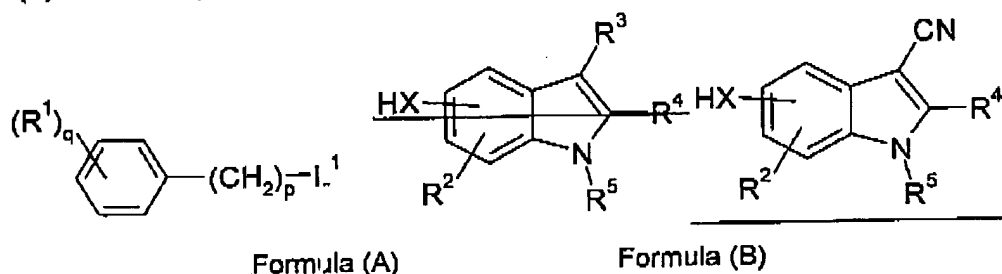
Application No. 10/509,633
 Amendment Dated 12/22/2005
 Reply to Office Action of 12/13/2005

3-cyano-5-(3,4-dimethoxyphenylsulphonyl)-1*H*-indole; and
 1-methyl-3-cyano-5-(3,4-dimethoxyphenylsulphonyl)-1*H*-indole;
 or salt, prodrug or solvate thereof.

11. (currently amended) A pharmaceutical composition comprising a compound according to any one of Claims 7, ~~10~~, 13 to 21 or a pharmaceutically acceptable salt, solvate or prodrug thereof.

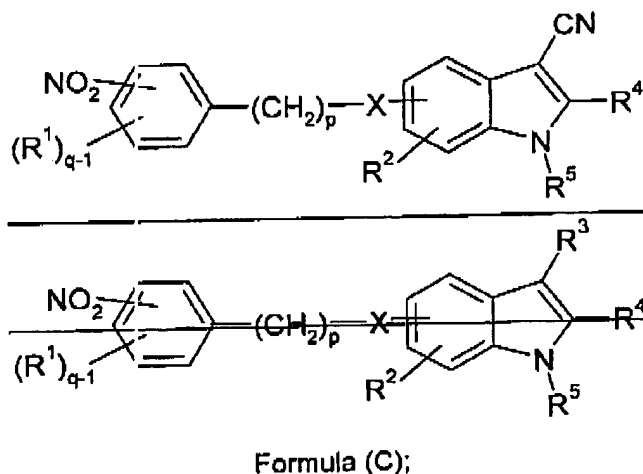
12. (currently amended) A process for preparing a compound of claim Z [[1]], or salt, solvate or prodrug thereof, comprising

a) for compounds of Formula (I) wherein X is —O— or —S—, reacting a compound of Formula (A) with a compound of Formula (B),



wherein L¹ is a leaving group;

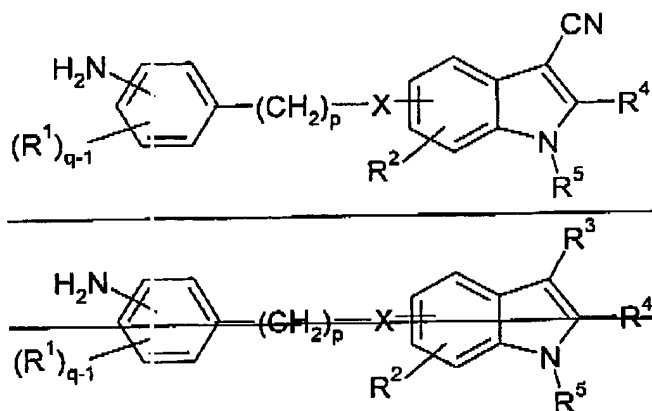
b) for compounds of Formula (I) in which R¹ is amino, reduction of a compound of Formula (C):



c) for compounds of Formula (I) wherein R⁵ is C₁₋₄alkyl, reacting a compound of Formula (I) wherein R⁵ is hydrogen with a suitable alkylhalide;

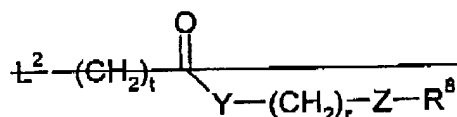
Application No. 10/509,633
 Amendment Dated 12/22/2005
 Reply to Office Action of 12/13/2005

d) for compounds of Formula (I) wherein R^1 comprises an amino group substituted with an amino acid residue, reacting a compound of Formula (D) with an amino acid,



Formula (D);

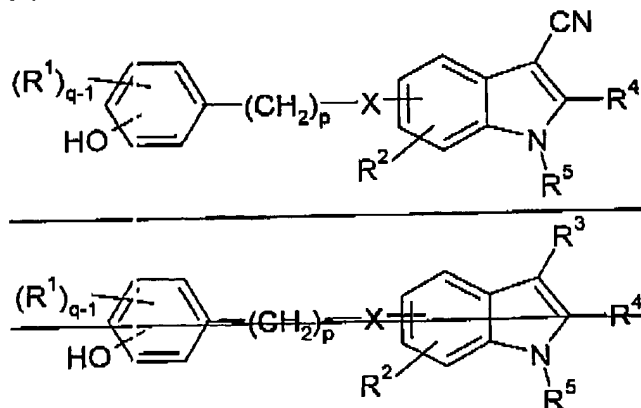
e) ~~for compounds of Formula (I) in which R^3 is a group of Formula (II) and R^2 is a group of Formula (III), reacting a compound of Formula (I) in which R^3 is a group of Formula (II) and R^2 is hydrogen with compounds of Formula (E) below, in which L^2 is a leaving group;~~



Formula (E);

[[f)] e) for compounds of Formula (I) in which R^4 is hydrogen, reacting compounds of Formula (I) in which R^3 is hydrogen and R^4 is hydrogen with compounds of L^3R^3 in which L^3 is a leaving group; and

[[g)] f) for compounds of Formula (I) in which R^1 is an esterified hydroxyl group, reacting a compound of Formula (F) with an appropriate carboxylic acid or carboxylic acid derivative;



Application No. 10/509,633
Amendment Dated 12/22/2005
Reply to Office Action of 12/13/2005

Formula (F)

and thereafter optionally

- i) converting a compound of Formula (I) into another compound of Formula (I);
- ii) removing any protecting groups;
- iii) forming a salt, prodrug or solvate.

13. (new) A compound according to Claim 7 wherein X is $-\text{O}-$;

14. (new) A compound according to Claim 7 wherein X is $-\text{S}-$, $-\text{SO}-$ or $-\text{SO}_2-$;

15. (new) A compound according to Claim 7 wherein R^1 is selected from hydroxy, amino, $-\text{OPO}_3\text{H}_2$, methoxy, ethoxy, glutamylamino, α -glutamylamino, serylamine, glycylamine and alanylamine.

16. (new) A compound according to Claim 7 wherein R^1 is selected from hydroxy, α -glutamylamine, seryl, $-\text{OPO}_3\text{H}_2$ or methoxy.

17. (new) A compound according to Claim 7 wherein q is 2 or 3.

18. (new) A compound according to Claim 7 wherein R^2 is hydrogen.

19. (new) A compound according to Claim 7 wherein R^4 is hydrogen, cyano, carbamoyl, carbamoyl C_{1-4} alkyl or C_{1-4} alkoxycarbonyl.

20. (new) A compound according to Claim 7 wherein R^5 is hydrogen or C_{1-4} alkyl.

21. (new) A compound according to Claim 7 wherein R^5 is hydrogen, methyl or ethyl.